

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

SUSAN R. MCNEILLY, et al.,

Plaintiffs,

v.

SPECTRUM HEALTH SYSTEM, THE
DEFINED CONTRIBUTION RETIREMENT
PLAN INVESTMENT COMMITTEE OF
SPECTRUM HEALTH SYSTEM and JOHN
DOES 1-30,

Defendants.

CIVIL ACTION NO.: 1:20-cv-00870

Hon. Jane M. Beckering

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, PRELIMINARY CERTIFICATION OF SETTLEMENT
CLASS, APPROVAL OF CLASS NOTICE, APPROVAL OF PLAN OF ALLOCATION,
AND SCHEDULING OF FAIRNESS HEARING**

Named Plaintiffs Susan R. McNeilly and Carla Martz (collectively “Plaintiffs”), by and through their undersigned counsel on behalf of the Spectrum Health System 403(b) Plan (the “Plan”), respectfully submit this Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement entered into with Defendants¹ (the “Settlement” or “Settlement Agreement), Preliminary Approval of Class Notice, Approval of Plan of Allocation, and Scheduling of a Fairness Hearing (“Motion for Preliminary Approval”) and respectfully move this Court for an Order granting the relief sought. The grounds for this motion are set forth in Plaintiffs

¹ “Defendants” refers, collectively, to Spectrum Health System (“Spectrum”), The Board of Directors of Spectrum (“Board”), The Defined Contribution Retirement Plan Investment Committee (“Committee”), and John Does 1-30.

and their Counsel's declarations and the memorandum of law in support of this motion, which are submitted herewith.

A Proposed Order is submitted herewith.

Dated: March 10, 2023

Respectfully submitted,

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh

Mark K. Gyandoh, Esquire
(admitted *pro hac vice*)
312 Old Lancaster Road
Merion Station, PA 19066
Tel: (610) 890-0200
Fax (717) 233-4103
Email: markg@capozziadler.com

CAPOZZI ADLER, P.C.

Donald R. Reavey, Esquire
(admitted *pro hac vice*)
2933 North Front Street
Harrisburg, PA 17110
Tel.: (717) 233-4101
Fax (717) 233-4103
Email: donr@capozziadler.com

EDELSON LECHTZIN LLP

Eric Lechtzin, Esquire
Marc H. Edelson, Esquire
411 S. State Street, Suite N-300
Newtown, PA 18940
Telephone: (215) 867-2399
Email: elechtzin@edelson-law.com

*Attorneys for Plaintiffs, the Plan
and the Proposed Class*

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2023 a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

/s/ Mark K. Gyandoh
Mark K. Gyandoh